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ABSTRACT

This policy brief analyzes state charter school laws in light of American Federation of Teachers criteria for strong legislation and examines current findings concerning whether charter schools are living up to the bright claims touted by their advocates or the dire consequences predicted by their foes. It also details emerging issues regarding the proliferation of these schools. Section 1, "Introduction," presents an overview of the issue. Section 2, "Evaluating State Charter School Laws," discusses what states are doing regarding charter schools. Section 3, "Are Charter Schools Meeting Expectations?" focuses on student achievement, who attends charter schools, whether charters are affecting public schools, whether charter schools are innovative, and whether charter schools are more accountable. Section 4, "Emerging Concerns," discusses privatization in charter schools and teacher retention. Section 5, "Oversight," explains the need for state support to hold charter schools accountable. Section 6, "Current Legislative Actions," examines how states have amended their legislation to make it easier to start charters, allow more than one chartering authority, and increase the number of charter schools. Section 7, "In Conclusion," summarizes lessons learned from the earliest charter schools. (SM)

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Charter Schools Update

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Introduction

In 1988, the late Albert Shanker, then president of the AFT, introduced the notion of charter schools to the American public in a press club speech in Washington, D.C.[1] Today, charter schools enjoy support across the political spectrum. Conservatives support charter schools for a variety of reasons—they believe that:

- charters will hasten the advent of vouchers;
- a charter school policy can undermine the teachers unions; and
- charter schools can advance conservative support for deregulation and letting the market reign.

Many Democrats and liberals support charters because they think that:

- charters will stave off vouchers;
- lead to democratic renewal at the local level and help strengthen the community; and
- allow for greater teacher empowerment.

Both factions believe that charter school innovation and experimentation will lead to improved public schools—the liberals because they believe that the public schools will adopt the charter innovations, the conservatives because they believe the public schools will be moved by the power of competition and the demands of the marketplace.

Charter school legislation was first enacted in Minnesota in 1991. Since then, 36 states and the District of Columbia have passed legislation authorizing the granting of charters. The federal government also enacted legislation that not only encourages states to create charters but also requires that states be accountable for these schools and that the schools receive their fair share of federal dollars. By fall 1998, there were more than 1,100 charter schools, half of which are located in Arizona, California, or Michigan (Table 1). President Clinton has called for the creation of 3,000 charter schools by the year 2000.

This policy brief analyzes state charter school laws in light of AFT criteria for strong legislation, and examines current findings concerning whether charter schools are living up to the bright claims touted by their advocates or the dire consequences predicted by their foes. It also details some emerging issues regarding the proliferation of these schools.

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Table 1

Charter Schools in Operation as of September 1998

State	Date of Law	Number of operating schools	Number of additional schools approved
Alaska	1995	17	1
Arizona	1994	271	0
Arkansas	1994	0	0
California	1992	156	0
Colorado	1993	61	0
Connecticut	1996	16	1
Delaware	1995	4	6
District of Columbia	1996	19	3
Florida	1996	76	6
Georgia	1993	28	0
Hawaii	1994	2	1
Idaho	1998	0	1
Illinois	1996	14	6
Kansas	1994	15	0
Louisiana	1995	10	3
Massachusetts	1993	34	3
Michigan	1993	136	13
Minnesota	1991	35	2
Mississippi	1997	1	0
Missouri	1998	0	0
Nevada	1997	1	0
New Hampshire	1995	0	1
New Jersey	1996	30	8
New Mexico	1993	5	0
New York	1998	0	0
North Carolina	1996	59	5
Ohio	1997	12	37
Oklahoma	1999	0	0
Oregon	1999	0	0
Pennsylvania	1997	31	4
Rhode Island	1995	2	0
South Carolina	1996	5	0
Texas	1996	60	86
Utah	1998	0	2
Virginia	1998	0	0
Wisconsin	1993	31	0
Wyoming	1995	0	0
TOTAL		**1,131**	**189**

Evaluating State Charter School Laws

In 1996, the AFT released a report on charter school legislation,[2] which compared the existing 26 laws to criteria the AFT thinks are necessary for establishing charter schools that are likely to fulfill their promise of strengthening public schools—not advancing other ideological agendas. The AFT report identified the following criteria as essential in creating good charter school legislation:

- Charter schools must be based on high academic standards.
- Charter school students must take the same tests as other students in the state and district.
- Charter school employees should be covered by collective bargaining.
- Charter schools should hire certified teachers.
- Charter schools should have the approval of local districts.
- Charter schools should be required to make academic and financial information available to the public.

Since that report, 10 more states and the District of Columbia have passed charter school laws. Tables 2, 3 and 4 summarize the features of those state laws according to our criteria.

- Eight states do not require charters to teach to academic state standards. (Table 2)
- There is considerable latitude in how charters report student achievement results, and eight states do not even require that charters use the same test instruments as other public schools. (Table 2)
- Of the 36 states, 11 states have multiple sponsors of charter schools. The remaining states give chartering authority to local school districts. (Table 2)
- Seven states allow charter schools to hire uncertified teachers. Eight additional states allow a percentage of teachers to be uncertified. Twenty-one states require teacher certification. (Table 3)
- Eight states require that charter schools engage in

Table 2

AFT Criteria on Standards, Assessments and Sponsorship

Criteria	States that include criteria in the law	States that do not include criteria in the law	States where criteria are partially included
Must meet state standards	Ark.; Ariz.; Calif.; Colo.; Conn.; Del.; D.C.; Ga.; Hawaii; Idaho; Ill.; La.; Mass.; Minn.; Mo.; Miss.; Nev.; N.J.; N.M.; N.Y.; N.C.; Ore.; Pa.; R.I.; Texas; Utah; Va.	Alaska; Fla.; Kan.; N.H.; Ohio; S.C.; Wis.; Wyo.	Mich. (Standards are voluntary for all schools)
Must use the same assessments as all public schools.	Ariz.; Cal.; Colo.; Conn.; Del.; Fla.; Hawaii; Idaho; Ill.; Kan.; La.; Mass.; Mich.; Nev.; N.J.; N.M.; N.Y.; N.C.;Ohio; Okla. Pa.; R.I.; S.C.; Texas; Utah	Alaska; Ark.; D.C.; Ga.; Okla.; Ore.; Va.; Wis.; Wyo.	Minn. (No state assessment); Mo. (Not specified in the law)
Approved by local school districts	Alaska; Ark.; Colo.; Del.; Fla.; Ga.; Hawaii; Ill.; Kan.; La.; Nev. (Requires state approval); N.H. (requires local referendum); N.J. (Requires state approval); N.M.; Okla.; Ore. (Allows appeal to state board); Pa.; R.I.; S.C.; Texas (Campus charters); Utah (Approved by state); Va.; Wisc.; Wyo.		States that have multiple sponsors: Ariz.; Calif.; Conn.; D.C.; Mass.; Mich.; Minn.; Mo.; Miss.; N.Y.; N.C.; Ohio; Texas

collective bargaining within the existing collective bargaining unit; 10 states allow charter school employees to bargain as separate units; six other states allow charter school employees to remain in the bargaining unit if the school is a conversion school, but new charters must form separate units;[3] and nine states prohibit collective bargaining. Oklahoma allows employer-employee bargaining, but not under the public employee bargaining law. Laws in the remaining states are silent on the issue of collective bargaining. (Table 4)

- Accountability requirements differ widely from state to state. Although many states require charters to submit an annual report, the states fail to define the contents of the report or require that the reports be made available to the public. Most states require annual audits to be submitted but fail to define the contents of those reports. Other states require charters to submit the same reports that district schools are required to submit. In some states, the department of education or the state board of education (or the state chartering board—e.g., Arizona) is charged with oversight responsibility for charters; in other states, that responsibility is the provenance of the charter-granting authority—be it a district or a university. Although charters can be revoked, few laws set performance standards that charters must meet.

Our analysis of current charter school legislation,

Table 3

Teacher Certification in Charter Schools

States that require teacher certification	States that waive teacher certification	States that require a percentage of certified teachers
Calif.; Del.; Hawaii; Idaho; Mich. (except those sponsored by a university); Minn.; Miss.; N.J.; N.M.; Ohio; R.I.; Texas; Utah; Va.; Wisc.; Wyo.	Ariz.; D.C.; Fla.; Ill.; Okla.; Mass. (except Horace Mann charters)	Conn. (50%); La. (75%); Mo. (80%); Nev. (75%); N.H.(50%); N.Y. (70%); N.C. (75% in elementary, 50% in secondary); Ore. (50%); Pa. (75%); S.C. (75% in new schools, 90% in conversion schools)

Table 4

Charter Schools Laws and Collective Bargaining*

Allows charter school employees to be covered by the existing collective bargaining unit	Allows conversion schools** to remain in collective bargaining unit	Allows collective bargaining but in separate units	Does not allow collective bargaining
Alaska; Hawaii; Kan. (if granted by district); La.; Mich. (if chartered by the district); Nev.; R.I.; Wisc.	Calif.; Colo.; N.J.; N.Y. (and other charter schools with over 250 students); Ohio; Ore.	D.C.; Del.; Fla.; Idaho; Ill.; Mass.;*** Minn.; N.H.; N.J. (new charter schools); N.Y. (under 250 students); Ohio (start-up); Okla. (not covered by collective bargaining law); Ore.; Pa.	Ariz.; Ark.; Ga.; Miss.; N.C.; S.C.; Texas; Utah; Va.; Wyo.

* The AFT thinks that the inclusion of charter school staff in the same bargaining units as other employees provides both protection of charter school staff and allows greater communication with other public school staff.

** Conversion schools are district schools that become charter schools.

*** Horace Mann charters, approved by the local district and the union, remain in the bargaining unit. State charters may bargain in separate units.

like our 1996 study, reveals considerable variation from state to state. Some charter laws are very permissive: the standards are lax and the oversight weak. Other laws are more restrictive in terms of the numbers of schools to be created, the imposition of standards and the degree of autonomy these schools have. The current data indicate:

- Not all states require that charter schools develop programs that are consonant with state and/or local standards. Nor do all states require that the schools participate in the state accountability system. Indeed, the reporting systems required in legislation in virtually all states are insufficient to determine whether students in charter schools perform as well as or better than their counterparts who remain in other public schools. If charter schools fail to participate in the state academic accountability system, it will be difficult to hold the school accountable for particular results that are equal to those already achieved in comparable public schools—let alone to demonstrate results that exceed current norms.
- All states prohibit charter schools from charging tuition but are less clear regarding fees and donations —a practice that needs careful monitoring to ensure that such monies do not become a proxy for tuition and, thereby making charter schools inaccessible to some students.
- There is great variety in the governance structures of charters among the states, which results in an opportunity for a stronger teacher voice in charter schools in some places, and "business as usual" in charter schools in other states.
- The manner in which collective bargaining rights are abrogated and participation in teacher retirement systems denied may in some instances diminish the interest of teachers to participate (especially if the governance structure also restricts their policy development and decision-making roles).
- Provisions in some state laws release charter schools from employing fully certificated teachers.
- Some schools are chartered by the state or another entity not directly connected to the local district. This is troublesome; the likelihood of those schools influencing school district policies—as originally envisioned—and providing models for change at the district level is remote.

Are Charter Schools Meeting Expectations?

Student Achievement

The jury is still out, but information to date does not support the notion that charter schools promote greater student achievement, particularly with high-risk, disadvantaged children. Trends in student achievement are emerging from states with the longest history of charters. Reports from Arizona, California, Colorado,

Massachusetts, Michigan, and Minnesota lack convincing evidence that charter schools improve student achievement.

- Achievement data from Arizona students who took the Stanford Achievement Test (SAT 9) indicate that, overall, students in charter schools are not performing significantly differently from those in comparable traditional public schools. But, the data show that by middle school, students who have been attending charter schools for more than a year begin to lag behind their regular public school age-mates; at the high school level, this difference is even more significant.[4]

- In California, an evaluation conducted by SRI[5] for the state legislature noted that a lack of common statewide assessments made it difficult to determine whether charter school students were performing at or above the level of their school district peers. Where charter students took district assessments, however, charter school students performed at or below the level of other students in similar public schools. Little conclusive evidence of improved student achievement exists.

- Colorado's 1997 evaluation reached similar conclusions.[6] Charter school students who were deemed to be at-risk performed no better than their district peers on the statewide assessment. In fact, students attending charter schools having the greatest number of economically disadvantaged students performed at levels below district schools.

- Texas conducted a study of its charter schools and concluded that charters had little positive effect on student achievement.[7] The study recommended that the Texas Education Agency proceed slowly and not grant additional open-enrollment charters. Texas law grants a preference for charter schools that educate at-risk students. But the study concluded that based on TASS test, results charter schools lagged behind district schools having similar student demographics, particularly charter schools targeted to at-risk students.

- In Michigan, two recent studies noted that charter school students lagged behind their district school counterparts on the MEAP assessment. One study notes that even where scores improved over time, charter school performance still lags behind the district scores.[8]

- The results from the latest statewide testing in Massachusetts prompt similar conclusions.[9] With two exceptions, the Massachusetts charter schools performed at or below the district average on the new test.[10] The Neighborhood House, a small charter school in Boston outscored all other schools in fourth-grade literacy. The Francis Parker Charter School also scored in the 10 highest scoring districts. However, two Edison Project charter schools were among the 10 lowest performing school districts in the state, not exactly good news for the largest for-profit company in the charter school business. Other charter schools were also listed as low performers on the test.

Who Attends Charter Schools?

Early concerns that charter schools would serve only middle-class students or cream the best students from public schools seem to be unfounded. Several studies note the high number of minority students enrolled in charter schools. The Hudson Institute compared the population of charters to the student population in the states. The number of minority students in the eight states examined in the report was higher than the minority student population in the state. Concerns remain that comparisons done at the district level may reveal a higher concentration of white students in charter schools than in district schools overall. Although charters fare favorably in statewide comparisons of student bodies, a closer examination at the district level reveals some troubling disparities:

- In Denver, the district average of minority students is 74 percent. PS 1, a charter high school has a minority population of 41 percent. When compared to the statewide average of 28 percent, PS 1 appears to serve a greater percentage of minority students. When compared to the district average, however, PS 1 under serves minority students. Comparing students eligible for free- and reduced-priced lunch produces a similar effect. The state average for Colorado is 22 percent. PS 1 has 23 percent of its students eligible. But the school district average is 53 percent.[11]

- In Arizona, a study of student composition of charter schools revealed that "nearly half of the charter

schools exhibited evidence of substantial ethnic separation…Charter schools not only contained a greater proportion of white students, but when comparable nearby traditional public schools were used for comparison, the charters were typically 20 percentage points higher in white enrollment than other public schools. Moreover, the charter schools that had a majority of ethnic minority students…tended to be either vocational secondary schools that do not lead to college or 'schools of last resort' for students being expelled from the traditional public schools."[12]

Even though some charter schools focus exclusively on special needs students, questions have been raised concerning whether, in general, charter schools are serving special needs students and those with limited English proficiency.

- A Hudson Institute study[13] noted that special needs students are underrepresented in charter schools.
- Many charter schools avoid admitting students with special needs.[14]
- The third-year report of the National Charter School Study indicated that eight percent of the students in charter schools have disabilities while the comparable figure for all public schools is 11 percent.[15]
- Small schools with fewer resources find it difficult to provide appropriate services. Even the larger charter schools have difficulty providing the legally required level of service to special needs students.
- The Boston Renaissance charter school operated by the Edison Project was found to be out of compliance with IDEA regulations. The school agreed to comply with IDEA service provisions and increase their services.

Are Charters Affecting Public Schools?

A recent study by Eric Rofes of the University of California at Berkeley indicates that the presence of charter schools has little effect on districts. While a small percentage of districts changed policies or practices in reaction to the growth of charter within their district boundaries, most districts remain unaffected by these schools. Some districts reported concern about the loss of students to charter schools, but most indicated a greater concern that the money drained from the system hurt all district schools. The reaction has been strongest in districts where charters attract a substantial number of students.

Subtle changes in policy can also be credited to charter schools. In Massachusetts, one district reformed its middle school in reaction to an increasing interest in the charter school there. Since the district implemented changes, enrollment in the charter school has dropped. The state warned the school that the decrease in enrollment could result in the school losing its charter.

Are Charter Schools Innovative?

The assumption that charter schools are, by definition, innovative needs to be examined more closely. Although some charter schools have unique curricula—e.g., international studies, Afrocentric programs—most charter schools resemble the district schools.

Further, as for-profit companies expand into charter schools, the likelihood of schools having unique visions or engaging in innovative teaching and learning diminishes. Edison, for example, uses "Success for All" as its reading program. But Edison is not unique. More than 700 public schools in 400 districts also use this research-based program. Advantage Schools, Inc. uses Direct Instruction for its educational program. But Direct Instruction, another research-based program, is used in dozens of school districts across the country. The Sabis schools all use the curriculum of the private schools operated by the company. It is a traditional curriculum used by schools in every state.

Are Charter Schools More Accountable?

Advocates of charter schools assert that these schools are more accountable than other public schools. But such pronouncements ignore the fact that charters are part of a larger movement of school accountability—an accountability based on achievement. For example, district schools receiving Title I funds face a variety of consequences if "adequate yearly progress" is not made. Each state defines what constitutes "adequate yearly progress" in its state plan for Title I. In addition, states have enacted legislation that allows them to takeover schools or districts that fail to meet state academic requirements. Seventeen of the states that have passed charter school laws also have passed legislation increasing accountability for all public schools.[16]

For many supporters of charter schools, competition and the marketplace define accountability. Just as the marketplace holds companies accountable for their products, charters must satisfy parents or fail. Advocates

argue that if charter schools maintain the student population from year to year, they are by definition successful, regardless of academic progress. However, only 80 percent of the charter schools said that they issued a report for the purpose of accountability to one or more constituencies during the 1997-98 school year. This included reports made to parents.[17] Only 73 percent of charters reported information on academic achievement to the sponsor and only 65 percent reported such information to parents.[18]

State laws establish the time limit on a school's charter. At the end of that time period, generally three to five years, charters must be renewed. Charter schools go through a renewal process in which they provide sponsors with information about the school's progress towards meeting the goals stated in the application. Thus far, 29 schools completed the renewal process successfully.

Nonetheless, 32 schools have lost their charters since 1993, most as the result of financial irregularities. Advocates argue that these closings prove that charter schools are more accountable than other public schools. Edutrain, a Los Angeles charter, closed when the state discovered fraudulent student numbers and serious misspending by the school's director. In Arizona, the state having the most charters, schools closed for a variety of reasons, most associated with fiscal problems. One company with several school sites closed after an examination of student enrollment revealed that the school had used inflated enrollment figures. Citizen 2000, another Arizona charter, closed due to financial irregularities that included the operator using public funds to pay mortgages and employ relatives. The closing raised issues concerning ownership of equipment and materials when a charter school closes. Most states fail to address this issue in their legislation, creating potential confusion over who owns the debts acquired by the charter school.

A few sponsors revoked charters for reasons other than financial irregularity. Massachusetts discontinued a charter because the school lacked a sound educational program. Originally a youth services program, operators thought that adding an educational component would be easy and would qualify the program for charter school funding. After examining the documentation of the school's educational plan and a site visit, state officials concluded that no real educational program was being offered. Minnesota amended a charter originally designed for grades K-12. Because there were too few students in grades 9-12, the state insisted that the charter include only grades K-8.

The vague legislative language in many charter laws, insufficient state- and sponsoring-agency personnel to exercise adequate oversight, and the lack of comparable data from charter and public schools all combine to make claims of more accountability in charter schools problematic and difficult to substantiate.

Emerging Concerns

Several emerging issues regarding charter schools bear further scrutiny from the AFT. These issues include: growing involvement of private corporations in chartering schools; teacher retention rates; and, oversight concerns.

Privatization in Charter Schools

At the first blush of charter school availability, teachers, parents, and community leaders, who had ideas for unique schools applied for, and received charters. But as the numbers of available charters has expanded, the number of individual educational entrepreneurs has diminished. Private companies have leapt into the breach.

For-profit companies see charter schools as a fertile market. A growing number of states allow charter applicants to use private companies to actually run the charter school. Edison Project operates 21 charters in 11 states and the District of Columbia. Education Alternatives Inc., which now calls itself Tesseract T, recently received charters in Massachusetts, New Jersey and Texas. Sabis, an international chain of private schools, runs two Massachusetts charter schools and plans to expand to three other states. There are others: J.C. Huzienga, a Michigan entrepreneur, plans to increase the number of Leona Group charter schools in Michigan and expand to other for-profit friendly sites. Beacon Management, formerly Alternative Public Schools, plans to increase its presence in the charter school field by expanding in Massachusetts and Pennsylvania. Advantage Schools, Inc. plan to open schools in five states.

Arizona leads all states in the number of for-profit companies operating charter schools. Because the law allows for private school conversions, many small private schools opted to convert to charter status. For

example, ResCare, a private preschool company, converted some of its sites to charter schools by purchasing charters from a small rural school district. The Arizona law is unique in that it allows districts to charge applicants up to $25,000 for each charter. As a result, some small rural districts initially granted charters to gain additional money for the district. All of the schools are located in other districts.

For-profit companies manage more than half the charter schools in Michigan. In Massachusetts, 50 percent of the students who attend charter schools do so in schools operated by for-profit companies.

As applicants struggle to design curriculum and to find a match between their vision and reality, more are turning to for-profit companies to provide the educational component of the charter. Some charter advocates express concern that the increase in the number of for-profit firms entering the charter school market changes the focus of locally developed and initiated schools that are designed to meet local needs. Expanding the number of "cookie cutter schools" promoted by the for-profit companies changes the nature of charter schools. The focus shifts from innovation initiated by teachers, parents and communities to profit and choice.

Teacher Retention

While survey data indicate that teachers in charters have high levels of satisfaction, some people are concerned about a growing trend toward high teacher turnover in these schools.

- In Massachusetts, staff turnover in the charter schools ranged from none to 12 percent; average turnover in the districts is three percent. The highest percentage of turnover was at Somerville Charter School (12 percent) and Seven Hills Charter School (10 percent). The lowest was found to be in Academy of the Pacific Rim Charter School in Boston (none). However, turnover at the Renaissance Charter School in Boston was 42 percent during the 1996-97 school year.

- In Michigan, the PSC/MAXIMUS[19] report indicates that from fall 1997 to fall 1998, 50 percent of the schools studied had no teacher turnover whatsoever. However, three schools have reported 100 percent turnover since opening; and 50 percent of small schools (fewer than five teachers) have lost more than half their staff since opening—according to administrators, unprepared teachers account for the high turnover rates. That is, the teachers were unprepared to deal with a large number of high-risk students and other students who were several grade-levels behind where they should be. Most teachers who left their jobs chose to do so. Only a few teachers were actually asked to leave. Another important reason teachers leave their jobs at charter schools: low wages. Teachers know they can earn more elsewhere—in a traditional public school, or even another charter school.

- In Texas, the turnover rate for teachers in at-risk charter schools is 60 percent, according to the school directors; the turnover rate in non-at-risk charter schools is 40 percent.[20]

Oversight

Without adequate state support, charter schools cannot be held accountable. State departments of education are understaffed and thus incapable of maintaining adequate oversight of charter schools. Some states are turning to the private sector for support to compensate for inadequate resources at the state level. This situation has led to a growing cadre of charter school consultants. Some of these consulting groups are university based; but pro-market education groups, such as the Center for Education Reform, are major providers of consulting services. Furthermore, some consulting groups appear to be linked to for-profit education firms thus raising the concern that companies may use charter technical assistance services as a means to find clients.

Current Legislative Actions

There is considerable state activity around charters. Despite a lack of evidence that such schools are successful, states have amended their legislation to make it easier to start charters, allow more than one chartering authority, and increase the numbers of charter schools. For example:

- In 1992, the California legislature adopted a series of major changes to the state's charter law, which had originally capped the number of charter schools

statewide at 100. The state department of education waived this cap, allowing districts to charter beyond the 100 schools specified in the law.

- Minnesota has amended its law to allow universities to sponsor charter schools. The cap on the number of schools was lifted, and the legislature increased start-up funding for charter schools.
- Massachusetts has lifted its cap on the number of charter schools from 25 to 50 statewide, including 13 "Horace Mann" schools. These schools differ from charter schools in that the local school board and the local teachers union must approve them. The collective bargaining agreement applies to the Horace Mann charters. Other charter schools in Massachusetts are creatures of the state and outside the collective bargaining agreement.
- Connecticut also has increased the number of charter schools it grants. Currently there is a bill pending to allow for-profit charter management, and another bill to increase funding for charters to provide special education.
- Georgia has made it easier to convert a school to charter status, and Rhode Island has amended its law to allow non-profits to apply for charters.

In Conclusion

Advocates' claims that competition from charter schools would result in improved student achievement in all schools remain unsubstantiated. Little innovation and sharing with other public schools have occurred. Instead, charter schools serve narrowly defined purposes in isolation from other schools in the district. At best, some charters provide alternative settings that meet the needs of particular student populations. At worst, charlatans use charters to gain access to public funds.

As new charter schools open in more states, the lessons learned from the earliest charters should be heeded:

- Academic accountability must be based on state standards and use state assessments, or where such assessments are not available, those tests required by the sponsoring agency.
- Baseline data that includes demographic and academic information must be gathered to show the progress of students over time and to make valid comparisons to other public schools.
- State departments of education should be staffed to ensure adequate oversight of charter schools.
- State departments of education need to maintain the same data for charters as for district schools.
- Legislation must include orderly procedures for school closures to avoid educational harm to students and financial harm to the public.
- Charter schools must provide both academic and financial reports to the public.
- Charter schools must be subject to state accountability systems.
- Finally, charter schools should be funded at levels that reflect their student enrollment. They should receive the full per-pupil dollars that any district school would receive for educating that child.

The AFT remains committed to supporting charter schools that are open to all students, engage all stakeholders, create new professional opportunities for staff, and most important, find effective ways to help students reach the state's high standards. But the AFT opposes charter schools that do not hold students to the state's high standards, that selectively admit students, that hide academic and financial information from the public, and that deny their employees the right to bargain collectively.

Endnotes

[1] Shanker based his remarks, in part, on an article—"Education by Charter," *Phi Delta Kappan*, March 1989—written by Ray Budde, a professor of education at the University of Massachusetts.

[2] "Charter School Laws: Do They Measure Up?" American Federation of Teachers, Washington, D.C., 1996.

[3] Existing public schools that convert to charter status are called conversion schools. All charter school states now permit public school conversions. Three states and the District of Columbia permit private school conversions as well.

[4] Mulholland, Lori. *Arizona Charter School Progress Evaluation.* Arizona State University: Morrison Institute for Public Policy, March 1999.

[5] Powell, Judith, et al. *Evaluation of Charter School Effectiveness.* California: SRI International, December 1997.

[6] 1997 Colorado Charter School Evaluation Study, Clayton Foundation for the Colorado Department of Education, 1997.

[7] Texas Board of Education. *Texas Open-Enrollment Charter Schools: Second Year Evaluation, 1997-98.* December 1998.

[8] Khouri, Nick, et al. *Michigan's Charter School Initiative: From Theory to Practice.* PSC, Inc. and MAXIMUS, Inc., January 1999.

[9] *The Massachusetts Charter School Initiative: Expanding the Possibilities of Public Education.* The Commonwealth of Massachusetts Department of Education, 1998.

[10] Hart, J "MCAS Scores of Charters Fail to Meet Expectations," *Boston Globe*, December 14, 1998.

[11] "A Study of Charter Schools: Second Year Report." U.S. Department of Education, 1998.

[12] Cobb, C., and Glass, G. "Ethnic Segregation in Arizona Charter Schools. *Education Policy Analysis Archives*, Vol. 7, No.1, January 14, 1999.

[13] Finn, Jr., Chester E., Manno, Brunno V., and Bierlein, Louann. "Charter Schools in Action: What Have We Learned?" Hudson Institute, 1996.

[14] Zollers, Nancy, and Ramanathan, Arun K. "For Profit Charter Schools and Students with Disabilities: The Sordid Side of the Business of Schooling." *Phi Delta Kappan*, December 1998.

[15] Berman, Nelson, et al., "The State of Charter Schools, Third Year Report." Office of Educational Research and Improvement, 1999.

[16] Arkansas, Connecticut, Florida, Illinois, Louisiana, Massachusetts, Michigan, Missouri, Mississippi, North Carolina, New Jersey, New Mexico, New York, Ohio, South Carolina, Texas, and Virginia.

[17] Berman, Nelson, 1999.

[18] Ibid.

[19] Khouri, Nick, et al. 1999.

[20] Texas Board of Education, 1998.

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